

ARTICLE VII

POWERS OF THE CITY COUNCIL

Section 1. Presiding Officer: The Mayor, when present, shall preside over the City Council and in his absence the Mayor Pro Tempore shall preside.

Section 2. Power over Members: The City Council shall be the judge of the election and qualifications of its own members, may determine the rules of its proceedings and shall have power to compel the attendance of absent members and to punish them for disorderly conduct.

Section 3. Attendance at Meetings: It shall be the duty of each member of the City Council to attend each regular meeting thereof, and each special meeting of which he has notice, and failure of any member so to do, without good and sufficient excuse, shall constitute misconduct in office.

Section 4. Election of Mayor Pro Tempore: At the first meeting of each new Council, or as soon thereafter as practicable, the Council shall elect a Mayor Pro Tempore, who shall hold his office for one year, and in case of the failure, inability or refusal of the Mayor to act in respect to any matter of duty, such Mayor Pro Tempore shall act.

Section 5. Control of Finances, Property and Ordinances: The City Council shall have control of the finances of the City, and the control and disposition of its property, subject to the limitations hereof, and shall have power to ordain, alter, amend or repeal all ordinances, resolutions, rules, orders and regulations not repugnant to the Constitution and laws of the United States or of this State, and to enact such ordinances, resolutions, rules, orders, etc., as are necessary or proper for the good government of the City, for its religious interests, the preservation of peace and good order, and for the suppression of vice or immorality within its limits or for the proper promotion of trade and commerce within the City and for the security, preservation and protection of lives, well being and health of, and for the recreation of the inhabitants of the City and of persons within its limits and to accomplish and enforce the duties and powers hereby conferred upon the City or which may hereafter properly be conferred upon it.

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Section 6. Power to Determine Duties of Officers : The City Council shall have power from time to time to require other and further duties of all officers whose duties are prescribed herein, and to define, prescribe and change, from time to time, the duties of all officers or employees appointed or elected by it or under its authority to any office or employment under the City, as in the judgment of the City Council may be best for the public interest, and the Council shall require good and sufficient bonds to be given by officers or employees handling funds of the City and may require bonds of other officers or employees if considered proper or necessary.

Section 7. Petitions and Remonstrances : Petitions and remonstrances to the City Council shall be presented in writing.

Section 8. Ordinances : Ordinances and resolutions shall be introduced in written or printed form, and shall not contain more than one subject which shall be clearly stated in the title except ordinances and resolutions appropriating money, which may contain various subjects and accounts for which monies are appropriated. Except in matters of a temporary character, or those having reference to the conduct of the ordinary and current affairs of the City, the Council shall proceed by ordinance only, and a majority vote of the Council who are present and voting shall be necessary to the adoption of an ordinance or resolution, or the allowance of any claim against the City. The vote on all ordinances and resolutions shall be entered of record, and on demand of any member of the City Council, the vote on any claim shall be so entered. No member of the City Council shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved, or where otherwise disqualified for ethical considerations, or unless excused by the Council for other valid reasons by majority vote. (Adopted by Charter Amendment, April 5, 1980)

Section 9. Style of Ordinances : The style of all ordinances shall be "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON," but this style may be omitted when the laws and ordinances of the City are published in book or pamphlet form.

Section 10. Passage of Ordinances : No ordinance, except it be an emergency measure as hereinafter defined, shall be passed until it has been read at two meetings of the City Council. One of such readings must be at a regular meeting unless this requirement shall be dispensed with by the affirmative vote of all members of the City Council. (Adopted by Charter Amendment, April 5, 1980)

Section 11. Emergency Measure, Definition and Passage : An emergency measure is an ordinance for the immediate preservation of the public peace, property, health, and safety or one providing for the usual daily operation of the City. The Council shall, within its discretion, declare what measures are emergency measures and any ordinance carrying an emergency clause shall be construed to be an emergency measure. Ordinances declared appropriately to be emergency measures may be passed after a reading at one meeting of the City Council on the affirmative vote of all members of the City Council who are present. (Adopted by Charter Amendment, April 5, 1980)

Section 12. Emergency, Denial : Any measure making grant or amendment to, or extension of any franchise or other special privilege, or increasing the rate to be charged for its services by any public utility, shall never be classed as an emergency measure.

Section 13. Enrolling of Ordinances : All ordinances and resolutions adopted by the City Council shall, before they take effect, be properly enrolled and be placed in the office of the City Secretary, and it shall be the duty of the Mayor, within ten (10) days after the same shall be placed in the hands of the Secretary, to see that they are properly enrolled, and shall approve or disapprove the same. If the Mayor shall disapprove any such ordinance or resolution, he shall do so in writing, stating his objections, and such order, ordinance or resolution shall be returned to the City Council for further action at a regular or adjourned regular meeting or special meeting, as the case may be, to be held not less than five (5) days after such disapproval of the Mayor; and if, after re-consideration, a majority shall vote in favor of the passage of such ordinance or resolution, their votes to be entered upon the Minutes of the City Council, then such ordinance or resolution shall become effective, the veto of the Mayor to

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the contrary notwithstanding. (Adopted by Charter Amendment, April 5, 1980)

Section 14. Effective Date of Ordinance : Every ordinance or resolution, after final passage, shall be recorded in a separate book kept for that purpose, and shall be effective from and after the approval of the Mayor, or its passage notwithstanding his veto, except penal ordinances.

Section 15. Ordinances Imposing Penalties : The descriptive caption of each ordinance stating in summary the purpose of the ordinance and the penalty for violation thereof shall, after its passage, be published two times in the official newspaper of the City before becoming effective. The City Secretary shall note on each such ordinance the fact that the same has been published and the dates of publication, which shall be prima facie evidence of such publication. No publication of any ordinance shall be required except for those imposing a fine, penalty or forfeiture or where State law provides otherwise. (Adopted by Charter Amendment, April 7, 1984)

Section 16. Publication of Ordinances : Should the City publish its ordinance in pamphlet form, or in book form, it shall not be necessary to republish such as have been published, and all ordinances of the City printed or put in book form by authority of the City Council shall be admitted and received in evidence in all courts without further proof, and a statement in such pamphlet or book that the ordinances and measures therein contained are published by authority of the City Council shall be prima facie evidence of the fact thus recited.

Section 17. Record : Every ordinance or resolution, upon its becoming effective, shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the Mayor, and attested by the City Secretary.